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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/733,472	12/08/2000	Robert E. Haines	10003234-1	2649

7590 08/04/2004

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 08/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/733,472

Applicant(s)

HAINES ET AL.

Examiner

Benjamin R Bruckart

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 May 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-27 and 30-44 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,3-27 and 30-44 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

Detailed Action

Status of Claims:

Claims 1, 3-27, 30-44 are pending in this Office Action.

Claims 2, 28-29 are canceled.

The U.S.C. 112, second paragraph rejection upon claims 39-41 is withdrawn in light of applicant's amendment.

Claims 1, 3-4, 6-9, 11, 13, 37-40, 44 remain rejected under 102(e) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al.

Claims 5 and 10, 14-18, 22, 41-43 remain rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al.

Claim 12 remains rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 6,490,052 by Yanagidaira.

Claims 19-21 remains rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al in further view of U.S. Publication No. 2001/0034658 by Silva et al.

Claims 23-27, 30-33, 35-36 are rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al in further view of U.S. Publication No. 2001/0034658 by Silva et al.

Claim 34 is rejected under 103(a) as being anticipated by anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al in further

view of U.S. Publication No. 2001/0034658 by Silva et al in further view of U.S. Patent No. 6,490,052 by Yanagidaira.

Response to Arguments

Applicant's arguments filed in the amendment filed 5/28/04, have been fully considered but they are not persuasive. The reasons are set forth below.

Applicant's invention as claimed:

Claims 1, 3-4, 6-9, 11, 13, 37-40, 44 are rejected under 102(e) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al.

Regarding claim 1, a consumable component replenishment and maintenance assistance system for a centralized network environment (col. 3, lines 56-63), comprising:

- a computer network (col. 3, lines 64- col. 4, line 2);

- a plurality of computer peripheral devices within the network (col. 3, lines 66-67), at least one computer peripheral device of the plurality having a consumable component (col. 3, lines 66-67; col. 4, lines 20-23);

- a personal computer within the network and having a user interface usable by a maintainer to maintain operation of the at least one computer peripheral device (col. 3, lines 13-20); and

- a server within the network and having a consumable component consolidation program (col. 4, lines 9-14; supervisor) operative to monitor the plurality of computer peripheral devices to identify at least a need to replenish a consumable component and/or perform maintenance for each of the plurality of the computer peripheral devices (col. 3, lines 67; col. 4, lines 15-28), and to notify a maintainer of the identified need by rendering instructions that are sent to the maintainer at the personal computer (col. 3, lines 30-34);

- wherein the consolidation program being operative to deliver to the maintainer a consolidated e-mail regarding at least the need to replenish the consumable component or

perform maintenance for a select group of computer peripheral devices among the plurality of the computer peripheral devices (col. 4, lines 30-34, 49-62).

Regarding claim 3, the system of claim 1 further comprising another personal computer and an electronic communication link signal coupling the another personal computer with an external seller of a consumable component for one of the at least one peripheral devices (col. 4, lines 53-62; Figure 3).

Regarding claim 4, the system of claim 1 further comprising another personal computer, wherein the another personal computer is operative to monitor the at least one computer peripheral device to determine the state of a consumable for each of the at least one computer peripheral devices, and notify a user via the user interface of a need to replenish one or more consumables (col. 3, lines 13-20; col. 4, lines 15-28).

Regarding claim 6, the system of claim 1 wherein the consumable component comprises a first consumable component (col. 4, lines 20-24), and further comprising a second consumable component unique from the first consumable component (col. 4, lines 20-24), wherein the consolidation program monitors the at least one computer peripheral device to identify when the second consumable component is near a threshold level requiring replenishment and/or maintenance and the consolidation program consolidates the need to replenish and/or perform maintenance on the first and second consumable components (col. 4, lines 15-28).

Regarding claim 7, the system of claim 6 wherein the first consumable component resides on a first peripheral device, and the second consumable component resides on a second peripheral device (col. 4, lines 15-17; for each printer resource; lines 20-24).

Regarding claim 8, the system of claim 6 wherein the first consumable component and the second consumable component reside on a common peripheral device (col. 4, lines 20-24).

Regarding claim 9, the system of claim 6 wherein the server is operative to automatically notify a maintainer of the consolidated need to replenish and/or perform maintenance (col. 4, lines 53-62).

Regarding claim 11, the system of claim 6 wherein the consolidation program generates a warning message indicating that the second consumable component is near the threshold level (col. 5, lines 38-53).

Regarding claim 13, the system of claim 1 wherein the consolidation program includes a configurable threshold setting for the consumable component of the peripheral device (col. 4, lines 35-44), wherein a user of the centralized server selectively configures the threshold setting for the consumable component such that the identified need to replenish the consumable component is triggered by the threshold setting (col. 4, lines 35-44, lines 15-29).

Regarding claim 37, a method for replenishing consumable components of at least one computer peripheral device within a centralized network (Fan: col. 3, lines 56-58), comprising:

- providing a centralized server within the network communicating with the at least one computer peripheral device among a plurality of computer peripheral devices (Fan: col. 3, lines 64-67);

- identifying a need to replenish a consumable component and/or perform maintenance for each of the at least one computer peripheral components (Fan: col. 4, lines 15-28); and

- consolidating the identified need to replenish the consumable component or perform maintenance for one or more of the at least one computer peripheral device in the network (Fan: col. 4, lines 15-28);

- wherein the centralized server includes a consumable re-order program (Fan: col. 4, lines 9-14; supervisor) configured to send a consumable re-order notification to a consumables purchaser at a personal computer (Fan: col. 4, lines 30-62), the instructions including a consolidated message to order consumables for a select group of computer peripheral devices from among the plurality of computer peripheral devices (Fan: col. 4, lines 49-62).

Art Unit: 2155

Regarding claim 38, the method of claim 37 further comprising notifying a network user of the consolidated, identified need by rendering and forwarding instructions to the network user (Fan: col. 4, lines 53-63 and lines 30-34).

Regarding claim 39, the method of claim 38 wherein the network user is a maintainer interacting with the network at a personal computer (Fan: col. 3, lines 13-20).

Regarding claim 40, the method of claim 38 wherein the network user is an end user interacting with the network at a personal computer having a device status interface (Fan: col. 3, lines 13-20).

Regarding claim 44, the method of claim 37 wherein identifying a need comprises receiving a warning notification from a computer peripheral device that the computer peripheral device is down or is about to go down (Fan: col. 4, lines 53-63; col. 6, lines 30-35).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 10, 14-18, 22, 41-43 are rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al.

Claim 12 is rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 6,490,052 by Yanagidaira.

Claims 19-21 are rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al in further view of U.S. Publication No. 2001/0034658 by Silva et al.

Claims 23-27, 30-33, 35-36 are rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al in further view of U.S. Publication No. 2001/0034658 by Silva et al.

Claim 34 is rejected under 103(a) as being anticipated by anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al in further view of U.S. Publication No. 2001/0034658 by Silva et al in further view of U.S. Patent No. 6,490,052 by Yanagidaira.

Regarding claim 5,

The Fan reference teaches a consumable component replenishment and maintenance assistance system for a centralized network environment (col. 3, lines 56-63) providing notification to system managers, end users and/or vendors (col. 4, lines 53-59).

The Fan reference does not explicitly state instructions to send a consumable re-order notification to a consumables purchaser at the another personal computer.

The LoBiondo reference teaches another centralized server (col. 3, lines 18-20; remote ordering location) having a consumable re-order program including instructions to send a consumable re-order notification to a consumables purchaser at the another personal computer (col. 1, lines 46-52; col. 3, lines 26-34).

The LoBiondo reference further teaches it desirable to have just-in-time inventory control so that inventory-carrying costs can be minimized (col. 1, lines 28-33)

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of consumable monitoring system for a computer peripheral device within a centralized network environment as taught by Fan while employing consumable re-order program as taught by LoBiondo in order to minimize carrying costs (col. 1, lines 28-33).

Claim 10 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of LoBiondo et al and Fan et al.

Regarding claim 10, the system of claim 6 wherein the server is operative to automatically notify a purchaser of the consolidated need to replenish and/or perform maintenance (col. 1, lines 46-52; col. 3, lines 26-34).

Regarding claim 14,

The Fan reference teaches a consumable monitoring system for a computer peripheral device within a centralized network environment (col. 3, lines 56-63), comprising:

- a personal computer having a user interface (col. 3, line 66, lines 13-20);

- a plurality of computer peripheral devices (Fan: col. 3, lines 66-67), each computer peripheral device including a consumable (col. 3, line 67; col. 4, lines 20-24);

- a centralized (col. 3, line 67) server with instructions to send a notification including a consolidated message to order consumables for a select group of computer peripheral devices from among the plurality of computer peripheral devices (col. 4, lines 30-62).; and

- a computer network interconnecting the personal computer, the plurality of computer peripheral devices, and the centralized server (col. 3, lines 59, lines 65-col. 4, line 2; Figure 3).

The Fan reference does not teach instructions to send a consumable re-order notification to a consumables purchaser at the personal computer.

The LoBiondo reference teaches a consumable re-order program including instructions to send a consumable re-order notification to a consumables purchaser at the personal computer (col. 1, lines 46-52; col. 3, lines 26-34).

The LoBiondo reference further teaches it desirable to have just-in-time inventory control so that inventory-carrying costs can be minimized (col. 1, lines 28-33)

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of consumable monitoring system for a computer peripheral device within a centralized network environment as taught by Fan while employing consumable re-order program as taught by LoBiondo in order to minimize carrying costs (col. 1, lines 28-33).

Claims 15-23 are rejected under the same rationale given above. In the rejections set forth, the examiner will address the additional limitations and point to the relevant teachings of LoBiondo et al and Fan et al.

Regarding claim 15, the consumable order assistance system of claim 14 further comprising an electronic communication link signal coupling the personal computer with a provider of the consumable for the peripheral device (Fan: col. 3, lines 56-63; Figure 3).

Regarding claim 16, the consumable order assistance system of claim 14 wherein the centralized server includes a consumable component consolidation program for monitoring the at least one computer peripheral device to identify a need to replenish a consumable component and/or perform maintenance (Fan: col. 3, lines 67; col. 4, lines 15-28), consolidating the identified need to replenish the consumable component and/or perform maintenance for one or more of the at least one computer peripheral device in the network environment, (Fan: col. 4, lines 15-28) and notifying a user of the consolidated, identified need by rendering instructions that are sent to the user at the personal computer (Fan: col. 4, lines 53-63).

Regarding claim 17, the consumable order assistance system of claim 15 wherein the consumable re-order program automatically initiates an order for consumables in response to identifying a need to replenish a consumable component (LoBiondo: col. 3, lines 16-24).

Regarding claim 18, the consumable order assistance system of claim 14 wherein the electronic communication link comprises an e-mail system within the network environment (Fan: col. 4, lines 53-63), wherein a list of consumables that need replacement (Fan: col. 4, lines 15-28; col. 8, lines 35-38; notification is given of a printers and their deficiencies) are sent to the personal computer via an e-mail message from the centralized server (Fan: col. 4, lines 53-63).

Regarding claim 22, the consumable order assistance system of claim 18 wherein the e-mail system facilitates consumable ordering by a purchaser at the personal computer (LoBiondo: col. 3, lines 16-24).

Regarding claim 41,

The Fan reference teaches a method for replenishing consumable components of at least one computer peripheral device within a centralized network (Fan: col. 3, lines 56-58) dependent on claim 38.

The Fan reference does not explicitly teach the network user is a purchaser of consumables interacting with the network at a personal computer.

The LoBiondo reference teaches the network user is a purchaser of consumables interacting with the network at a personal computer. (LoBiondo: col. 3, lines 16-24).

The LoBiondo reference further teaches it desirable to have just-in-time inventory control so that inventory-carrying costs can be minimized (col. 1, lines 28-33)

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of consumable monitoring system for a computer peripheral device within a centralized network environment as taught by Fan while employing consumable re-order program as taught by LoBiondo in order to minimize carrying costs (col. 1, lines 28-33).

Claims 42 and 43 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of LoBiondo et al and Fan et al.

Regarding claim 42, the method of claim 37 wherein identifying comprises comparing a state of a consumable component with a predefined state (Fan: col. 4, lines 15-28), and when the compared identified state corresponds with the predefined state (Fan: col. 4, lines 35-44), generating an order request for the consumable for submission to a provider of the consumable via a communication link (LoBiondo: col. 3, lines 16-24).

Regarding claim 43, the method of claim 42 wherein the communication link comprises the Internet (Fan: col. 59-67; Figure 3; the internet is a vast system of networks).

Claims 23-27, 30-33, 35-36 are rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al in further view of U.S. Publication No. 2001/0034658 by Silva et al.

Regarding claim 23,

The Fan reference teaches a computer-implemented system which implements a program in which consumable components of computer peripheral devices in a centralized network system are replenished (Fan: col. 4, lines 15-28), the system comprising:

a monitoring system which identifies a need to replenish one or more consumable components and/or perform maintenance for any one of a plurality of unique computer peripheral devices within the network system (Fan: col. 4, lines 15-28); and

a notification system which notifies a user of the identified need to replenish components and/or perform maintenance (Fan: col. 4, lines 30-34);

a server (Fan: col. 4, lines 9-14) having a consumable consolidation program (Fan: col. 4, lines 9-14; supervisor) for monitoring at least one computer peripheral device to identify a need to replenish consumables and/or perform maintenance for the at least one computer peripheral device in the network environment (Fan: col. 4, lines 15-34), and notifying a maintainer of the consolidated, identified need by rendering instructions that are sent to the maintainer at the personal computer by forwarding an email (Fan: col. 4, lines 49-62), and the instructions including a consolidated message to order consumables for a select group of computer peripheral devices from among the plurality of unique computer peripheral devices (Fan: col. 4, lines 30-62).

The Fan reference does not explicitly teach generating an order with a supplier of consumables in response to a user authorizing the order.

The LoBiondo reference teaches a consumable order placement system which generates an order with a supplier of consumables in response to a user authorizing the order (LoBiondo: col. 3, lines 16-24).

The LoBiondo reference further teaches it desirable to have just-in-time inventory control so that inventory-carrying costs can be minimized (col. 1, lines 28-33).

The Fan and LoBiondo references do not explicitly state the e-mail including a hot link to a web site of consumable reseller information.

The Silva reference teaches sending an e-mail including a hot link to a web site of consumable reseller information (Silva: paragraph 28).

The Silva reference further teaches overcoming the time-consuming task of filling a shopping cart by the single action of clicking the link and automatically filling the shopping cart overcoming fewer sales (paragraphs 4 and 5).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of consumable monitoring system for a computer peripheral device within a centralized network environment as taught by Fan while employing consumable re-order program as taught by LoBiondo in order to minimize carrying costs (col. 1, lines 28-33) with emailing a hot link of a website of consumable reseller information as taught by Silva in order to reduce the time necessary to shop and increase sales (paragraphs 4 and 5)..

Claims 24-36 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of LoBiondo et al, Fan et al, Silva et al.

Regarding claim 24, the computer-implemented system of claim 23 wherein the monitoring system comprises a server, a peripheral device having one or more consumable components, and a bi-directional communication link (Fan: col. 3, lines 59- col. 4, line 8; Figure 3), wherein the server polls or sets up the peripheral device to perform an internal check and notifies the server when a need is determined to replenish one or more consumable components and/or perform maintenance (Fan: col. 4, lines 15-28).

Regarding claim 25, the computer-implemented system of claim 23 wherein the notification system comprises a server, at least one client PC, and a communication link provided between the server and the at least one client PC (Fan: col. 3, lines 59- col. 4, line 8; Figure 3), wherein the server generates and forwards a notification to a user at one of the at least one client PC (Fan: col. 4, lines 53-63).

Regarding claim 26, the computer-implemented system of claim 23 wherein the consumable order placement system is resident on a central server within a network environment having a plurality of PCs (Fan: col. 3, lines 65-67).

Regarding claim 27, the computer-implemented system of claim 23 wherein the consumable order placement system is resident on a PC within a network environment having a central server (col. 3, lines 13-20).

Regarding claim 30, the computer-implemented system of claim 23 wherein the email comprises a notification that a printer needs replenishment of at least one consumable and/or maintenance (Fan: col. 4, lines 53-63).

Regarding claim 31, the computer implemented system of claim 23 wherein the email comprises a notification (Fan: col. 4, lines 53-63) in the form of an itemized list that a plurality of computer peripheral devices each needs replenishment of at least one consumable and/or maintenance (Fan: col. 4, lines 15-28; col. 8, lines 35-38; notification is given of a printers and their deficiencies).

Regarding claim 32, the computer-implemented system of claim 23 wherein the consumable consolidation program notifies the maintainer of the consolidated, identified need for a single computer peripheral device by consolidating the need for a plurality of unique consumable components (Fan: col. 4, lines 15-28, 53-63) and notifying the maintainer of the consolidated need for the single computer peripheral device (Fan: col. 4, lines 53-63).

Regarding claim 33, the computer-implemented system of claim 23 wherein the server comprises a centralized server communicating with the at least one computer peripheral device (Fan: col. 3, lines 64-67; Figure 3) and further operative to consolidate the identified need to replenish one or more consumable components and/or perform maintenance for one or more of the computer peripheral devices (Fan: col. 4, lines 15-24).

Regarding claim 35, the computer-implemented system of claim 23 wherein the notification system comprises a Legacy computer peripheral device and a centralized server provided within the network, wherein the centralized server periodically polls the Legacy device to obtain a

status of the Legacy device relating to status of a consumable component and/or a need to perform maintenance on the Legacy device (Fan: col. 4, lines 15-24).

Regarding claim 36, the computer-implemented system of claim 23 wherein the consumable order placement system comprises a centralized server provided within the network and communicating with a provider of consumables via the Internet (Fan: col. 59-67; Figure 3; the internet is a vast system of networks).

Claim 12 is rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 6,490,052 by Yanagidaira.

Regarding claim 12,

The Fan reference teaches a consumable component replenishment and maintenance assistance system for a centralized network environment (col. 3, lines 56-63).

The Fan reference does not explicitly state the centralized server comprises an integrated web server operative to manage network peripheral devices.

The Yanagidaira reference teaches a centralized server comprises an integrated web server operative to manage network peripheral devices (Yanagidaira: col. 2, lines 14-23)

The Yanagidaira reference further teaches the printer controller can easily perform the operating state monitoring, check and instruction of the printer from a client (Yanagidaira: col. 2, lines 9-14; col. 1, lines 34-39)

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of consumable component replenishment and maintenance assistance system for a centralized network environment as taught by Fan while employing an integrated web server operative to manage network peripheral devices as taught by Yanagidaira in order to easily identify a printer's operating state by a client (col. 1, lines 28-33).

Claims 19-21 are rejected under 103(a) as being anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al in further view of U.S. Publication No. 2001/0034658 by Silva et al.

Regarding claim 19,

The Fan and LoBiondo reference teach a consumable order assistance system wherein the e-mail is sent to notify of a need to maintain or replenish a peripheral.

The Fan and LoBiondo references do not explicitly state the e-mail including a hot link to a web site of consumable reseller information.

The Silva reference teaches sending an e-mail including a hot link to a web site of consumable reseller information (Silva: paragraph 28).

The Silva reference further teaches overcoming the time-consuming task of filling a shopping cart by the single action of clicking the link and automatically filling the shopping cart overcoming fewer sales (paragraphs 4 and 5).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of consumable order assistance system wherein the e-mail is sent to notify of a need to maintain or replenish a peripheral as taught by Fan and LoBiondo while including a hot link to a web site of consumable reseller information as taught by Silva in order to reduce the time necessary to shop and increase sales (paragraphs 4 and 5).

Claims 20-21 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of LoBiondo et al, Silva et al and Fan et al.

Regarding claim 20, the consumable order assistance system of claim 19 wherein the hot link is to a web site (Silva: paragraph 28) that is configured to work with an internal customer order system (LoBiondo: col. 3, lines 26-34).

Regarding claim 21, the consumable order assistance system of claim 19 wherein the hot link is to a web site that is configured to work with an external web site including a list of providers of the consumable (Silva: paragraphs 9 and 28).

Claim 34 is rejected under 103(a) as being anticipated by anticipated by U.S. Patent No. 6,310,692 issued to Fan et al in view of U.S. Patent No. 5,305,199 by LoBiondo et al in

further view of U.S. Publication No. 2001/0034658 by Silva et al in further view of U.S. Patent No. 6,490,052 by Yanagidaira.

Regarding claim 34,

The Fan, LoBiondo, and Silva references teach a computer-implemented system which implements a program in which consumable components of computer peripheral devices in a centralized network system are replenished.

The Fan, LoBiondo, and Silva references do not explicitly teach the notification system comprises an embedded web server within a computer peripheral device and a centralized server communicating with the computer peripheral device.

The Yanagidaira reference teaches the notification system comprises an embedded web server within a computer peripheral device and a centralized server communicating with the computer peripheral device (Yanagidaira: col. 2, lines 14-23).

The Yanagidaira reference further teaches the printer controller can easily perform the operating state monitoring, check and instruction of the printer from a client (Yanagidaira: col. 2, lines 9-14; col. 1, lines 34-39)

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system which implements a program in which consumable components of computer peripheral devices in a centralized network system are replenished as taught by Fan, LoBiondo, and Silva while employing an embedded web server within a computer peripheral device and a centralized server communicating with the computer peripheral device as taught by Yanagidaira in order to easily identify a printer's operating state by a client (col. 1, lines 28-33).

The Applicant Argues:

With regards to claims 1, 23, and 37, applicant argues Fan does not teach a consumable component consolidation program that is operative to monitor a computer peripheral device.

In response, the examiner respectfully submits:

The Fan reference does teach a consumable component consolidation program (col. 4, lines 9-14; the supervisor; col. 4, lines 30-34; resource management system) through the server function as a supervisor which is a part of the resource management system. A program is just a

set of instructions in which the hardware executes. The Fan reference teaches the server computer with a program built to monitor printer attributes that are stored and manipulated through a database. Col. 4, lines 15-29 teach two attributes that are stored in a database to be monitored by the resource management system. If a deficiency is detected then notification is given to “administrators, end users, and vendors” (col. 4, lines 30-34). Fan does indeed clearly state a consumable component consolidation program that monitors attributes of printers with respect to a resource threshold and then provides notification (col. 4, lines 23-29).

With regards to claim 1, applicant argues Fan fails to teach or suggest that the consolidation program is operative to deliver to the maintainer a consolidation email regarding at least the need to replenish the consumable component or perform maintenance for a select group of computer peripheral devices.

In response, the examiner respectfully submits:

The Fan reference does teach the program as explained above. The program monitors the resources with respect to their threshold and provides notification to “administrators, end users, and vendors” (col. 4, lines 30-34) when a deficiency is detected. The server hosts the resource system manager and holds a profile for each resource. A notification profile is taught, the administrator or other authorized person can designate users or vendors who will receive notification. “The notification profile can also be used to designate the type of electronic communication will be used to designate end users or vendors like email or direct pages, etc.” explicitly states it notifies through email to a specified user when a deficiency is found. The claimed limitation reads regarding at least the need to replenish the consumable component or perform maintenance for “a select group of computer peripheral devices.” The program operates on a notification profile that is associated with each resource. Fan teaches, the profile indicates the person to contact depending on the resource and the deficiency (col. 4, lines 55-59). The selected group would be the resources determined to be deficient.

With regards to claim 14, applicant argues that neither Fan or LoBiondo teach or suggest a consumable re-order program including instructions.

In response, the examiner respectfully submits:

The Fan reference does teach a centralized server with a program that monitors resources in the consumable environment. See the arguments for claim 1 above. The Fan reference teaches the monitoring and notification. The LoBiondo reference teaches a consumable re-order program including instructions to send a consumable re-order notification to a consumables purchaser at the personal computer (col. 1, lines 46-52; col. 3, lines 26-34). The combination of the two references meets the claimed limitation.

With regards to claim 23, the applicant argues the absence of a consumable consolidation program for monitoring in Fan and LoBiondo. Applicant also argues the combination with Silva does not meet the claim limitation.

In response, the examiner respectfully submits:

The Fan reference teaches a computer-implemented system which implements a program in which consumable components of computer peripheral devices in a centralized network system are replenished (Fan: col. 4, lines 15-28), the system comprising:

a monitoring system which identifies a need to replenish one or more consumable components and/or perform maintenance for any one of a plurality of unique computer peripheral devices within the network system (Fan: col. 4, lines 15-28); and

a notification system which notifies a user of the identified need to replenish components and/or perform maintenance (Fan: col. 4, lines 30-34);

a server (Fan: col. 4, lines 9-14) having a consumable consolidation program (Fan: col. 4, lines 9-14; supervisor) for monitoring at least one computer peripheral device to identify a need to replenish consumables and/or perform maintenance for the at least one computer peripheral device in the network environment (Fan: col. 4, lines 15-34), and notifying a maintainer of the consolidated, identified need by rendering instructions that are sent to the maintainer at the personal computer by forwarding an email (Fan: col. 4, lines 49-62), and the instructions including a consolidated message to order consumables for a select group of computer peripheral devices from among the plurality of unique computer peripheral devices (Fan: col. 4, lines 30-62).

The Fan reference does not explicitly teach generating an order with a supplier of consumables in response to a user authorizing the order.

The LoBiondo reference teaches a consumable order placement system which generates an order with a supplier of consumables in response to a user authorizing the order (LoBiondo: col. 3, lines 16-24).

The LoBiondo reference further teaches it desirable to have just-in-time inventory control so that inventory-carrying costs can be minimized (col. 1, lines 28-33).

The Fan and LoBiondo references do not explicitly state the e-mail including a hot link to a web site of consumable reseller information.

The Silva reference teaches sending an e-mail including a hot link to a web site of consumable reseller information (Silva: paragraph 28).

The Silva reference further teaches overcoming the time-consuming task of filling a shopping cart by the single action of clicking the link and automatically filling the shopping cart overcoming fewer sales (paragraphs 4 and 5).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of consumable monitoring system for a computer peripheral device within a centralized network environment as taught by Fan while employing consumable reorder program as taught by LoBiondo in order to minimize carrying costs (col. 1, lines 28-33) with emailing a hot link of a website of consumable reseller information as taught by Silva in order to reduce the time necessary to shop and increase sales (paragraphs 4 and 5).

The above citation is a 103(a) obvious rejection of claim 23. Fan teaches sending notification through an email to a user or administrator or vendor when a deficiency is found. LoBiondo teaches consumable reorder program. Silva teaches that email has a link to the reseller's products. It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of consumable monitoring system for a computer peripheral device within a centralized network environment as taught by Fan while employing consumable reorder program as taught by LoBiondo in order to minimize carrying costs (col. 1, lines 28-33) with emailing a hot link of a website of consumable reseller information as taught by Silva in order to reduce the time necessary to shop and increase sales (paragraphs 4 and 5).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

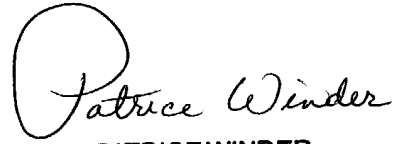
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number is (703) 305-0324. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart
Examiner
Art Unit 2155
brb
July 26, 2004

brb


**PATRICE WINDER
PRIMARY EXAMINER**